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16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA

18 SAN FRANCISCO DIVISION

19 REARDEN LLC, a California limited liability  
20 company; REARDEN PRODUCTIONS LLC, a  
California limited liability company; REARDEN  
21 STUDIOS LLC, a California limited liability  
company; REARDEN, INC., a California  
22 corporation; and REARDEN PROPERTIES LLC,  
a California limited liability company,

23 Plaintiffs,

24 v.

25 REARDEN COMMERCE, INC., a California  
corporation, and DOES 1 through 150, inclusive,

27 Defendants.

Case No. C 06-07367 MHP

**STIPULATION AND  
[PROPOSED] ORDER TO STAY  
EXECUTION OF JUDGMENT  
FOR PAYMENT OF COSTS  
UPON POSTING OF  
SUPERSEDEAS BOND**

Dept.: Courtroom 15, 18th Floor  
Before: Hon. Marilyn H. Patel

1       The parties, through their respective undersigned counsel, hereby stipulate pursuant to  
2 Local Rule 7-12 and Federal Rule of Civil Procedure 62(d) as follows:

3       WHEREAS, on July 2, 2010, the Court entered a Final Judgment in favor of Defendant  
4 Rearden Commerce, Inc., awarding Defendant costs (Dkt. 282);

5       WHEREAS, on July 17, 2010, Defendant submitted to the Court its bill of costs totaling  
6 \$35,770.12 (Dkt. 283), which amount was not disputed by Plaintiffs;

7       WHEREAS, Plaintiffs have timely filed a notice of appeal to the United States Court of  
8 Appeals for the Ninth Circuit (Dkt. 284);

9       WHEREAS, the parties have met and conferred and agreed upon the amount of  
10 supersedeas bond necessary to stay execution of Plaintiffs' payment of costs until the United  
11 States Court of Appeals for the Ninth Circuit decides Plaintiffs' appeal;

12       WHEREAS, pursuant to FRCP 62(d), the parties request the Court's approval of  
13 Plaintiffs' proposed supersedeas bond in the amount of \$35,770.12;

14       IT IS HEREBY STIPULATED that:

15       Immediately upon the filing by Plaintiffs of a supersedeas bond in an amount of not less  
16 than \$35,770.12, the judgment for costs in the amount of \$35,770.12 shall be entered in favor of  
17 Defendant Rearden Commerce, payment of which to Defendant by Plaintiffs shall be stayed  
18 pursuant to FRCP 62(d), until the mandate is issued by the United States Court of Appeals for the  
19 Ninth Circuit.

20

21 Dated: August 20, 2010

MORRISON & FOERSTER LLP

22

By: /s/ Brian L. Levine  
BRIAN L. LEVINE  
Attorneys for Plaintiffs

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Dated: August 20, 2010

GREENBERG TRAURIG LLP

24

By: /s/ Kevin J. O'Shea  
KEVIN J. O'SHEA  
Attorneys for Defendants

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STIPULATION TO STAY EXECUTION OF JUDGMENT FOR PAYMENT OF COSTS  
UPON POSTING OF SUPERSEDEAS BOND, CASE NO. C06-07367 MHP  
sf- 2886263

I, Brian L. Levine, am the ECF User whose ID and password are being used to file this  
STIPULATION AND [PROPOSED] ORDER TO STAY EXECUTION OF JUDGMENT FOR  
PAYMENT OF COSTS UPON POSTING OF SUPERSEDEAS BOND. In compliance with  
General Order 45, X.B., I hereby attest that Douglas L. Hendricks and Kevin O'Shea have  
concurred in this filing.

Dated: August 20, 2010

MORRISON & FOERSTER LLP

By: /s/ Brian L. Levine  
BRIAN L. LEVINE

Attorneys for Plaintiffs

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 8/23, 2010

